

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

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FELICIA BROWN ,

Case No. 15-cv-843-pp

Plaintiff,

v.

WISCONSIN DEPARTMENT OF CORRECTIONS,  
SUSAN NYGREN, and GUARDIAN HEALTHSTAFF, LLC,

Defendants.

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**ORDER GRANTING MOTION FOR LEAVE TO  
PROCEED *IN FORMA PAUPERIS* (DKT. NO. 2)**

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Felicia Brown, by her attorney, Jason Canfield, filed a civil complaint alleging that the defendants engaged in unlawful employment practices on the basis of gender, and retaliated against the plaintiff for opposing on those practices. Dkt. No. 1. She also filed a petition for leave to proceed *in forma pauperis*. Dkt. No. 2.

A district court may authorize a plaintiff to proceed *in forma pauperis*—meaning that she does not have to pre-pay the \$400 filing fee to start a civil lawsuit—if the plaintiff submits an affidavit listing her assets, indicating that she is unable to pay the fees, and stating her belief that she is entitled to the relief she seeks. 28 U.S.C. §1915(a). Title 28 U.S.C. §1915 “ensure[s] indigent plaintiffs meaningful access to the federal courts while at the same time prevent[ing] indigent plaintiffs from filing frivolous, malicious, or repetitive

lawsuits.” Lundgren v. Kuttemperoor, No. 14-CV-62, 2014 WL 576333, \*2 (E.D. Wis. Feb. 11, 2014) (citing Neitzke v. Williams, 490 U.S. 319, 324 (1989)).

The plaintiff’s Petition and Affidavit to Proceed Without Prepayment of Fees and/or Costs indicates that her income (from public assistance) has averaged \$198 for the last twelve months, and that she expects to earn \$198 in the following months. She asserts that her “family members contribute to all of [her] financial expenses,” which include \$765 per month for rent, \$60 per month for electricity, and \$40 per month for Internet. Dkt. No. 2 at 5. She indicates that she has no assets, and has about \$6.00 in her bank account. In this case, the information contained in the plaintiff’s affidavit, signed under the penalty of perjury, demonstrates that she does not have enough money to pay her monthly expenses, and so does not have the funds to pay the filing fee.

With regard to whether the plaintiff’s complaint demonstrates that she is entitled to the relief she seeks, the complaint alleges that while she was employed at a phlebotomist at Racine Correctional Institution, she suffered sexual harassment from her supervisor and other DOC employees, which created a hostile work environment. The complaint further alleges that despite making complaints to DOC staff and defendant Guardian, no action was taken to address the harassment. Dkt. No. 1 at 3-7. The court finds that the complaint states sufficient facts demonstrate the plaintiff’s good-faith belief that she is entitled to the relief she seeks.

The court **GRANTS** the plaintiff's Petition to Proceed Without Prepayment of Fees and/or Costs, and the court **WAIVES** the filing fee (Dkt. No. 2).

Dated at Milwaukee, this 26th day of August, 2015.

**BY THE COURT:**

A handwritten signature in black ink, consisting of a large, stylized 'P' followed by a horizontal line extending to the right.

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**HON. PAMELA PEPPER**  
**United States District Judge**